



  
Frank W. Volk, Chief Judge  
United States Bankruptcy Court  
Southern District of West Virginia

8/30/19

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

In re:	)	Chapter 11
	)	
Blackjewel, L.L.C., <i>et al.</i> ,	)	Case No. 19-bk-30289
	)	
Debtors. <sup>1</sup>	)	(Jointly Administered)

**ORDER GRANTING EMERGENCY MOTION OF THE DEBTORS TO REJECT AND  
TERMINATE HEALTH INSURANCE PLAN WITH UNITED HEALTHCARE  
SERVICES, INC. AND TO ENTER INTO NEW HEALTH INSURANCE PLAN FOR  
CURRENT EMPLOYEES PURSUANT TO SECTIONS 363 AND 365 OF THE  
BANKRUPTCY CODE**

Upon the motion (the “Motion”) of the above-captioned Debtors<sup>2</sup> for entry of an order authorizing the Debtors to reject and terminate the Insurance Agreements (excluding the Vision Policy) with UHSI and to enter into a new health insurance plan for the Debtors’ current employees only and granting related relief; all as more fully set forth in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and venue being proper before this Court under 28 U.S.C. §§ 1408 and 1409; and

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<sup>1</sup> The Debtors in these chapter 11 cases and the last four digits of each Debtor’s taxpayer identification number are as follows: Blackjewel, L.L.C. (0823); Blackjewel Holdings L.L.C. (4745); Revelation Energy Holdings, LLC (8795); Revelation Management Corporation (8908); Revelation Energy, LLC (4605); Dominion Coal Corporation (2957); Harold Keene Coal Co. LLC (6749); Vansant Coal Corporation (2785); Lone Mountain Processing, LLC (0457); Powell Mountain Energy, LLC (1024); and Cumberland River Coal LLC (2213). The headquarters for each of the Debtors is located at 1051 Main Street, Milton, West Virginia 25541-1215.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Motion.

consideration of the Motion and the relief requested therein being a core proceeding as defined in 28 U.S.C. § 157(b); and due and proper notice having been given to the parties listed in the Motion, and it appearing that no other or further notice need be provided; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and it appearing that the relief requested in the Motion is in the best interest of the Debtors, their estates, creditors and equity security holders; and upon all of the proceedings had before the Court and upon due deliberation and sufficient cause appearing thereof,

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED**

1. The Motion is GRANTED as set forth herein.
2. The Debtors are authorized and directed to reject and terminate the Insurance Agreements pursuant to section 365 of the Bankruptcy Code. The Debtors are authorized to determine what amount of contributions to be made to the Health Plan is in the best interests of the Debtors and their estates without further order of the Court.
3. The Debtors may, but are not directed to, enter into a new health insurance plan for the Debtors' currently working employees only and any of the currently furloughed employees that are brought back to work by the Debtors, provided that coverage for furloughed employees would only be effective on or after the date the furloughed employee returns to work.
4. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this order in accordance with the Motion.
5. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this order, other than matters involving the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1001 et seq.. This provision does not bar the Court from asserting jurisdiction over ERISA matters over which it would otherwise have jurisdiction absent this paragraph 5.

Presented By:

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- and -

/s/ Stephen D. Lerner

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